

By Archbishop Charles J. Chaput and Dr. Elizabeth H. Prodromou

At the U.N. General Assembly last week, Pakistani President Pervez Musharraf called for a strategy of "enlightened moderation" to combat terrorism, to end conflicts affecting Islamic states, and to "bridge ... the growing divide" between Islamic and Western countries.

Musharraf's action plan suggests it is Western countries that must change their behavior toward Muslims, and not the other way around. He called two measures "imperative": to "end racial and religious discrimination against Muslims" and to "prohibit the defamation of Islam."

Musharraf fails to address the urgent need to bring "enlightened moderation" to his own country, where intolerance and violence is aimed at both Muslims and non-Muslims. Pakistan already has strict anti-blasphemy laws, which criminalize defamation of Islam, and these result in extensive human- rights abuses. Allegations of blasphemy, which are often false and used to intimidate or settle personal scores, have resulted in the lengthy detention of Ahmadis, Christians, Hindus and members of other religious minority communities, as well as Muslims whose views are deemed offensive by religious extremists. Criminal penalties for blasphemy include the death penalty for anyone who "defiles the sacred name of the Holy Prophet Muhammad," life imprisonment for whomever "willfully defiles, damages or desecrates a copy of the Holy Quran," and 10 years' imprisonment for insulting the religious feelings of any citizen.

Who judges what constitutes blasphemy, a term that is open to arbitrary interpretation? Given the sway that Muslim extremists hold over Pakistan's judiciary, judges' findings and penalties for blasphemy reveal an arbitrariness intended to squelch fundamental freedoms of thought and expression.

Another area where some enlightened moderation is still lacking in Pakistan is the country's reviled Hudood Ordinance. This set of laws criminalize sexual relations outside of marriage, so that women who have reported being raped are routinely imprisoned for the crime of adultery, and face a potential sentence of death by stoning.

In 2003, the National Commission on the Status of Women in Pakistan found as many as 88 percent of female prisoners, many of them rape victims, were serving time for violating the decrees.

While based in Islamic law, Pakistan's judiciary applies the Hudood Ordinance to both Muslims and non-Muslims. Human Rights groups in Pakistan have sought the repeal of the Hudood laws since their introduction in 1979.

Under pressure from human rights groups, Musharraf has initiated a review of possible reforms to the Hudood laws, but critics charge that the discussion is merely rhetorical window dressing designed to placate international critics while continuing to succumb to the demands of the country's conservative religious parties.

The Mutahida Majlis-e-Amal (MMA), a powerful alliance of Islamist organizations, adamantly rejects any change in the Hudood Ordinance. Musharraf is beholden to the MMA for its 2003 support of a constitutional amendment legitimizing the continuation of military rule in Pakistan and thereby retroactively legalizing the 1999 coup that brought him to power.

In the face of the MMA's vehement opposition to a possible repeal of the Hudood Ordinance, Musharaff's government has sought to strike a compromise over reforms that would purportedly moderate the arbitrary effect of the laws by introducing new laws of evidence and opening the possibility for trial in secular, rather than religious, courts. However, human rights groups maintain that the proposed changes will make things even worse for women. The Human Rights Commission of Pakistan called the compromise on the Women's Protection Bill "nothing more than a joke" and a "farfical attempt at making the Hudood Ordinances palatable."

The Women's Action Forum, a Pakistani non-governmental organization, also criticized the compromise, saying it would make the Hudood Ordinance even harsher.

The struggle over reforming the Hudood Ordinance speaks to the larger political and strategic question of whether the Musharraf government is willing to combat Islamic extremism in order to

support the rule of law and to protect the fundamental human rights and religious freedoms intrinsic to sustainable democracy.

Currently, sectarian and religiously motivated violence persists in Pakistan, particularly by Sunni Muslim militants, against Shiite Muslims, Ahmadis, Hindus and Christians. Perpetrators of attacks on religious minorities are seldom brought to justice. Pakistan's nearly 4 million Ahmadis are prevented by law from fully practicing their faith.

Pakistan's substantive cooperation is essential to U.S. efforts to combat terrorism. There is grave cause for concern over the failure of the Pakistani government to combat religious extremism. The U.S. Commission on International Religious Freedom has recommended that the State Department designate Pakistan a "country of particular concern" for serious religious freedom violations under the International Religious Freedom Act of 1998.

The State Department's annual International Religious Freedom Report, released Sept. 15, also noted serious violations of religious freedom in Pakistan, including fatal violence against Ahmadis, torture of Christians, attacks against Shiite clerics, and vandalism and destruction of churches.

The ability of Pakistan to build a sustainable democracy that is not a haven for terrorism depends on President Musharraf's willingness to change his own country's behavior when it comes to human rights and religious freedom. It means limiting abusive actions and overbroad punishments by extremists, not encouraging them.

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